

1 PHILLIP A. TALBERT
2 United States Attorney
3 STEPHANIE M. STOKMAN
4 Assistant United States Attorney
5 2500 Tulare Street, Suite 4401
6 Fresno, CA 93721
7 Telephone: (559) 497-4000
8 Facsimile: (559) 497-4099
9 Attorneys for Plaintiff
10 United States of America

11
12 IN THE UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 Plaintiff,

v.

16 JASON AGUILAR,
17 CESAR ESTEVAN RODRIGUEZ,
18 HECTOR HERNANDEZ,
19 RICK LEE HUTCHINSON,

Defendants.

CASE NO. 1:21-CR-00115-ADA-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: August 9, 2023

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

17
STIPULATION

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

20 1. By this stipulation, the government and defendant now move to set the matter for jury
21 trial on June 25, 2024, and to exclude time between August 9, 2023, and June 25, 2024, under Local
22 Code T4.

23 2. The parties further request that the matter be set for a trial confirmation hearing on June
24 3, 2024.

25 3. The parties agree and stipulate, and request that the Court find the following:

26 a) The government has represented that the discovery associated with this case
27 includes reports, photographs, and audio files. All of this discovery has been either produced
28 directly to counsel and/or made available for inspection and copying. Additionally, a plea

1 agreement has been provided to defendant or will be provided shortly.

2 b) Counsel for defendant desires additional time to further review discovery, discuss
3 potential resolution with her client and the government, and investigate and prepare for trial.

4 c) As such, the parties are requesting a trial date as indicated above.

5 d) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
6 et seq., within which trial must commence, the time period of August 9, 2023 to June 25, 2024,
7 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
8 because it results from a continuance granted by the Court at the parties' request on the basis of
9 the Court's finding that the ends of justice served by taking such action outweigh the best interest
10 of the public and the defendants in a speedy trial.

11 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
12 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
13 must commence.

14 IT IS SO STIPULATED.

15 Dated: August 2, 2023

PHILLIP A. TALBERT
United States Attorney

16 /s/ STEPHANIE M. STOKMAN
17 STEPHANIE M. STOKMAN
18 Assistant United States Attorney

20 Dated: August 2, 2023

21 /s/ ROGER WILSON
22 ROGER WILSON
23 Counsel for Defendant
JASON AGUILAR

24 Dated: August 2, 2023

25 /s/ KOJO MOORE
26 KOJO MOORE
27 Counsel for Defendant
CESAR ESTEVAN
RODRIGUEZ

1 Dated: August 2, 2023

/s/ DAVID BALAKIAN
DAVID BALAKIAN
Counsel for Defendant
HECTOR HERNANDEZ

4 Dated: August 2, 2023

/s/ RICHARD BESHWATE
RICHARD BESHWATE
Counsel for Defendant
RICK LEE HUTCHINSON

7 **ORDER**

8 IT IS SO ORDERED that the status conference set for August 9, 2023, is vacated. A jury trial is
9 set for **June 25, 2024, at 8:30 a.m. before District Judge Ana de Alba**. Estimate time of trial is **2 weeks**.
10 A trial confirmation is set for **June 3, 2024, at 8:30 a.m. before District Judge Ana de Alba**. Time is
11 excluded through trial pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).
12

13 IT IS SO ORDERED.

14 Dated: August 3, 2023

/s/ *Barbara A. McAuliffe*

15 UNITED STATES MAGISTRATE JUDGE